

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

UNITED STATES OF AMERICA, ) CASE NO. 1:11CR91-25  
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 )  
PLAINTIFF, ) JUDGE SARA LIOI  
 )  
 )  
vs. )  
 )  
 ) ORDER  
MATT DONAHUE, )  
 )  
 )  
 )  
DEFENDANT. )

This matter is before the Court upon Magistrate Judge Kenneth S. McHargh's Report and Recommendation that the Court ACCEPT Defendant Matt Donahue's ("Defendant") plea of guilty and enter a finding of guilty against Defendant. (Doc. No. 270.)

On March 8, 2011, the government filed an Indictment against Defendant. (Doc. No. 1.) On May 9, 2011, this Court issued an order assigning this case to Magistrate Judge McHargh for the purpose of receiving Defendant's guilty plea. (Doc. No. 250.)

On June 9, 2011, a hearing was held in which Defendant entered a plea of guilty to Counts 1 and 2 of the Indictment, charging him with conspiracy to distribute 500 grams or more of cocaine but less than five kilograms of cocaine, in violation of 21 U.S.C. Section 846, and distribution of cocaine, in violation of 21 U.S.C. Section 841(a)(1), respectively. Magistrate Judge McHargh received Defendant's guilty plea and issued a Report and Recommendation ("R&R") recommending that this Court accept the

plea and enter a finding of guilty. (Doc. No. 270.)

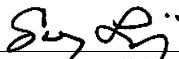
Neither party objected to the Magistrate Judge's R&R in the fourteen days after it was issued.

Upon *de novo* review of the record, the Magistrate Judge's R&R is ADOPTED. Specifically, the Court finds as follows: that the defendant is competent to enter a plea, that he understands his constitutional rights, that he is aware of the consequences of entering a plea, and that there is an adequate factual basis for the plea. The Court further finds that the plea was entered knowingly, intelligently, and voluntarily. Accordingly, the Defendant's plea of guilty is APPROVED.

Therefore, the Defendant is adjudged guilty of Counts 1 and 2 in violation of 21 U.S.C. Sections 846 and 841(a)(1). The sentencing will be held on August 25, 2011 at 12:00 p.m.

**IT IS SO ORDERED.**

Dated: July 18, 2011

  
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**HONORABLE SARA LIOI**  
**UNITED STATES DISTRICT JUDGE**